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In re Application of  
Eli Avihod  
Application No. 10/676,685  
Filing or 371(c) Date: 09/30/2003  
Attorney Docket Number:  
MEDIS-65233

DEC 21 2006

**OFFICE OF PETITIONS**

ON PETITION

This is a decision on the Request to Withdraw Holding of Abandonment, filed September 12, 2006. The petition is properly treated under 37 CFR 1.181(a).

This Petition is hereby **granted**.


The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed December 22, 2005. The Office action set a three (3) month period for reply. Extensions of time were available under 37 CFR 1.136(a). No response having been received, the application became abandoned March 23, 2006. A Notice of Abandonment was mailed August 7, 2006.

Applicant files the instant petition and asserts that a timely reply to the Office action was filed on February 20, 2006. In support of this assertion, Applicant files a copy of the Reply, which includes a Certificate of Mailing under 37 CFR 1.8. The Certificate of Mailing was executed by petitioner herein.

In view of the foregoing, the petition is granted. The holding of abandonment is hereby withdrawn.

The application will be referred to Technology Center Art Unit 3636 for processing of the Reply, and for continued processing in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

  
Derek L. Woods  
Attorney  
Office of Petitions